IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.18605 of 2008
SIDHNATH SAH @ SHIVNATH SAH @ SHEONATH SAH
Versus
STATE OF BIHAR
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3 10-7-2008 Heard the parties.

The petitioner is an accused in a case under sections 20(b) II(B) and 29/27 of the N.D.P.S. Act and section 27A of the Excise Act.

The allegation in the F.I.R. is that 28 kgs. of Ganja was recovered kept in a gunny bag outside the shop of the petitioner.

Learned counsel for the petitioner submits that the petitioner is a businessman aged sixty years and has no connection with the business of Ganja and has falsely been implicated in this case by the I.O. concerned. Referring to Annexure 5, learned counsel submits that it is a report submitted by the Inspector after the villagers made protest before the Supdt. Of Police, Rohtas. The report indicates that the recovery was made from a ditch over Parti land of Suryadeo Singh. It is further submitted that one of the seizure list witness has been examined during the trial but have not supported the factum of recovery.

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Be that as it may, the petitioner Sidhnath Sah @ Shivnath Sah @ Sheonath Sah is directed to be released on bail in N.D.P.S. 12(A)/2005 arising out of Brahmpur (Nainijore) PS Case No. 176/2005 on furnishing bail bond of rupees ten thousand with two sureties of the like amount each to the satisfaction of the Special Judge, Buxar with the conditions that one of the bailer should be close family member of the petitioner, the petitioner should appear on each and every

date as and when required by the court and if he absents himself even on a single date without cause, his bail bond shall stand cancelled and the court should take coercive steps against him or his bailer.

**haque** **(Sheema Ali Khan, J.)**

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